

REMARKS

The Official Action of February 21, 2008, has been carefully reviewed. Reconsideration of the application in view of the above amendments and the following remarks is respectfully requested.

The claims have been amended to be directed to the elected invention. For convenience in entry of the amendment, the claims have been canceled in their entirety and presented as new Claims 35-47. Support for this amendment is found in the specification, e.g. at page 6, line 18 to page 13, line 2; and the claims of the application as filed.

Claims 35-47 are pending in the application.

Restriction Requirement

Under 35 U.S.C. 121, the Examiner required supplemental restriction among:

Group I: Claims 20-31 and 34, drawn to compounds of formula I wherein X_1 , X_2 , and X_3 form a pyrimidine ring and W is piperidine.

Group II: Claims 20-31 and 34, drawn to compounds of formula I wherein X_1 , X_2 , and X_3 form a pyrimidine ring and W is pyrrolidine.

Group III: Claims 20-31 and 34, drawn to compounds of formula I wherein X_1 , X_2 , and X_3 form a pyridine ring and W is piperidine.

Group IV: Claims 20-31 and 34, drawn to compounds of formula I wherein X_1 , X_2 , and X_3 form a pyridazine ring and W is piperidine.

Group V: Claims 20-31 and 34, drawn to compounds of formula I wherein X_1 , X_2 , and X_3 form a pyrazine ring and W is piperidine.

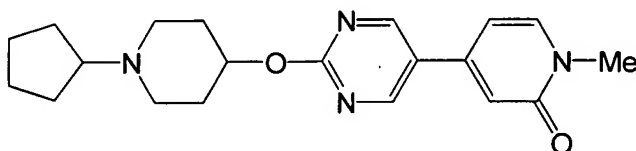
In response to this requirement, the Applicants hereby elect Group I: Claims 20-31 and 34, drawn to compounds of formula I wherein X_1 , X_2 , and X_3 form a pyrimidine ring and W is piperidine; and pharmaceutical compositions thereof, without traverse.

The claims reading on this group are new Claims 35-47.

The Examiner further requested election of a single species under 35 U.S.C. 121 for purposes of the search.

In response to this requirement, Applicants hereby elect the compound of Example 50 (page 89, lines 10-12), without traverse:

2-(1-cyclopentylpiperidin-4-yloxy)-5-(1-methyl-1H-pyridin-2-on-4-yl)pyrimidine



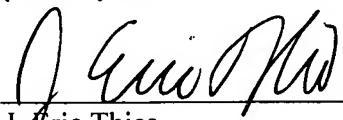
The elected claims reading on this compound are new Claims 35-47.

Although the Applicants maintain that the claims should not be subject to restriction, in the interest of compact prosecution they have amended the claims to be directed to the elected subject matter.

This election is being taken without prejudice to the filing of a divisional application directed to the non-elected subject matter. In accordance with the third sentence of 35 U.S.C. § 121, a patent issuing from the instant application should not be a reference against a divisional application filed before the issuance of such patent.

Applicants respectfully contend that the application is allowable and a favorable response from the Examiner is earnestly solicited.

Respectfully submitted,

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